

**REMARKS**

The Office Action of August 19, 2009 rejects the claims for lack of a declaration that satisfies the requirements of 35 U.S.C. § 251 and 37 C.F.R. § 1.175. Applicants submit the enclosed declaration, which is believed to remedy these defects. In particular, the enclosed declaration includes the language "All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant." which the Office Action indicates is necessary to overcome the rejection. Additionally, the enclosed declaration specifically acknowledges the amendment previously submitted. This declaration has been signed by Applicants representative (the undersigned) under 37 C.F.R. § 3.73(b). To the extent that this declaration is considered insufficient to overcome the rejection, Applicants request that the Examiner contact the undersigned by telephone to allow for quick resolution of this matter.

In view of the foregoing, Applicant(s) believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the number listed below.

Respectfully submitted,

Date: January 19, 2010

/Glenn E. Von Tersch/

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